

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

## ORDER

WHEREAS, plaintiff, Johnas Ortiz, was a prisoner incarcerated at the Howard R. Young Correctional Institution, Wilmington, Delaware, at the time he filed his complaint under 42 U.S.C. § 1983, along with an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915;

WHEREAS, on March 23, 2007, the court received plaintiff's change of address indicating that he is no longer incarcerated (D.I. 33);

WHEREAS, on April 19, 2007, the court ordered plaintiff to either pay the filing fee he owes (\$250.00) or submit a new standard form application to proceed without prepayment of fees and affidavit within thirty days of the date of the order (D.I. 34);

WHEREAS, the time has lapsed and plaintiff has not complied with the court's order of April 19, 2007;

THEREFORE, at Wilmington this 14<sup>th</sup> day of June, 2007, IT IS HEREBY  
ORDERED that the plaintiff's complaint is DISMISSED WITHOUT PREJUDICE.

Plaintiff is not required to pay any previously assessed fees or the \$250.00 filing fee.

  
Sue L. Robinson  
UNITED STATES DISTRICT JUDGE